

AN ORDINANCE

BY COUNCILMEMBER CLETA WINSLOW



AN ORDINANCE TO WAIVE THE RESTRICTION CONTAINED IN SECTIONS 2-36 (k) (2) AND 2-39 (b) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, FOR THE 2009 FISCAL BUDGET YEAR ONLY (JULY 1, 2008 THRU JUNE 30, 2009), WHICH RESTRICTION IS IMPOSED UPON THE PRESIDENT OF COUNCIL AND COUNCILMEMBERS REGARDING THE TRANSFER OF FUNDS CONTAINED IN THEIR RESPECTIVE ACCOUNTS, SO AS TO ALLOW FUNDS APPROPRIATED TO THEIR "SALARIES PERMANENT PART-TIME " ACCOUNTS, TO BE TRANSFERRED WITHIN THE PRESIDENT'S AND EACH COUNCILMEMBER'S COST CENTER, AND BE USED FOR OTHER PRESIDENT AND COUNCILMEMBER-RELATED EXPENSES; AND FOR OTHER PURPOSES.

Whereas, pursuant to Sections 2-36 (k) (2) and 2-39 (b) of the Code of Ordinances of the City of Atlanta, Georgia, the President of Council and Councilmembers are prohibited from transferring, for any other use or purpose, funds appropriated to their respective individual cost centers and allocated to those accounts designated as "salaries permanent part-time"; and

Whereas, this prohibition constricts the Council's ability to cause reasonable and prudent reductions to be made to the Council's own operating budget; and

Whereas, given the budget situation which the City faces with regard to its 2009 fiscal year budget; and

Whereas, the Council wants to do its part in helping to address this budget situation; and

Whereas, the Council feels that the removal of the referenced prohibition will provide more latitude, flexibility and options with respect to exploring ways to address possible reductions to the Council's own budget.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: (a) Section 2-36 (k) (2) of the Code of Ordinances of the City of Atlanta provides as follows:

For appropriations to the president's accounts, the president shall be deemed to be the equivalent of a department head within the context of authority over the funds appropriated to the center designated and shall have authority to draw against and transfer among accounts within such center in conformity with this Code and administrative provisions, **with the exception of the salaries permanent part-time and benefits accounts. Appropriations for salaries permanent part-time and benefits shall only be expended as compensation and benefits for council assistants and are restricted from transfer to any other account.** All other expenditures within the center shall be charged against the appropriate expense account in the city's chart of accounts. Notwithstanding the foregoing, the prohibition against transferring allocations from the president's cost center shall not apply to transfers from any line item in the president's cost center to an operating department.

Likewise, Section 2-39 (b) provides:

(b) For appropriations to each council district and post, the respective councilmember representing the district or post shall be deemed to be the equivalent of a department head within the context of authority over the funds appropriated to the center designated for the district or post and shall have authority to draw against and transfer among accounts within such center in conformity with this Code and administrative provisions, **with the exception of the salaries permanent part-time and benefits accounts. Appropriations for salaries permanent part-time and benefits shall only be expended as compensation and benefits for council assistants and are restricted from transfer to any other account.** All other expenditures within the center shall be charged against the appropriate expense account in the city's chart of accounts. Notwithstanding the foregoing, the prohibition against transferring allocations from a councilmember's cost center shall not apply to transfers from any line item in that councilmember's cost center to an operating department.

(b) For purposes of this ordinance and for Fiscal Year 2009 only (July 1, 2008 through June 30, 2009), the language indicated in bold in the preceding subsection (a), which prohibits the President of Council and Councilmembers from transferring funds appropriated to their respective individual cost centers and allocated to those accounts designated as "salaries permanent part-time", is hereby waived, so as to allow the transfer of funds from accounts so designated, but only for the period of time indicated above in this subsection (b).

Section 2: All ordinances or parts of ordinances in conflict herewith are hereby waived to the extent of any such conflict